

**House File 527 - Introduced**

HOUSE FILE 527  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 201)

**A BILL FOR**

1 An Act relating to the manufacture, acquisition, sale, and  
2 use of firearms and suppressors, providing penalties, and  
3 including effective date and applicability provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 724.1, subsection 1, paragraph h, Code  
2 2015, is amended by striking the paragraph.

3 Sec. 2. NEW SECTION. **724.1A Firearm suppressors —**  
4 **certification.**

5 1. As used in this section, unless the context otherwise  
6 requires:

7 a. "*Certification*" means the participation and assent of  
8 the chief law enforcement officer of the jurisdiction where the  
9 applicant resides or maintains an address of record, that is  
10 necessary under federal law for the approval of an application  
11 to make or transfer a firearm suppressor.

12 b. "*Chief law enforcement officer*" means the county sheriff,  
13 chief of police, or the designee of such official, that the  
14 federal bureau of alcohol, tobacco, firearms and explosives,  
15 or any successor agency, has identified by regulation or has  
16 determined is otherwise eligible to provide any required  
17 certification for making or transferring a firearm suppressor.

18 c. "*Firearm suppressor*" means a mechanical device  
19 specifically constructed and designed so that when attached to  
20 a firearm silences, muffles, or suppresses the sound when fired  
21 that is considered a "*firearm silencer*" or "*firearm muffler*" as  
22 defined in 18 U.S.C. §921.

23 2. a. A chief law enforcement officer is not required  
24 to make any certification under this section the chief law  
25 enforcement officer knows to be false, but the chief law  
26 enforcement officer shall not refuse, based on a generalized  
27 objection, to issue a certification to make or transfer a  
28 firearm suppressor.

29 b. When the certification of the chief law enforcement  
30 officer is required by federal law or regulation for making or  
31 transferring a firearm suppressor, the chief law enforcement  
32 officer shall, within thirty days of receipt of a request for  
33 certification, issue such certification if the applicant is  
34 not prohibited by law from making or transferring a firearm  
35 suppressor or is not the subject of a proceeding that could

1 result in the applicant being prohibited by law from making  
2 or transferring the firearm suppressor. If the chief law  
3 enforcement officer does not issue a certification as required  
4 by this section, the chief law enforcement officer shall  
5 provide the applicant with a written notification of the denial  
6 and the reason for the denial.

7 *c.* A certification that has been approved under this section  
8 grants the person the authority to make or transfer a firearm  
9 suppressor as provided by state and federal law.

10 3. An applicant whose request for certification is denied  
11 may appeal the decision of the chief law enforcement officer  
12 to the district court for the county in which the applicant  
13 resides or maintains an address of record. The court shall  
14 review the decision of the chief law enforcement officer to  
15 deny the certification de novo. If the court finds that the  
16 applicant is not prohibited by law from making or transferring  
17 the firearm suppressor, or is not the subject of a proceeding  
18 that could result in such prohibition, or that no substantial  
19 evidence supports the decision of the chief law enforcement  
20 officer, the court shall order the chief law enforcement  
21 officer to issue the certification and award court costs and  
22 reasonable attorney fees to the applicant. If the court  
23 determines the applicant is not eligible to be issued a  
24 certification, the court shall award court costs and reasonable  
25 attorney fees to the political subdivision of the state  
26 representing the chief law enforcement officer.

27 4. In making a determination about whether to issue a  
28 certification under subsection 2, a chief law enforcement  
29 officer may conduct a criminal background check, including  
30 an inquiry of the national instant criminal background check  
31 system maintained by the federal bureau of investigation or any  
32 successor agency, but shall only require the applicant provide  
33 as much information as is necessary to identify the applicant  
34 for this purpose or to determine the disposition of an arrest  
35 or proceeding relevant to the eligibility of the applicant to

1 lawfully possess or receive a firearm suppressor. A chief law  
2 enforcement officer shall not require access to or consent to  
3 inspect any private premises as a condition of providing a  
4 certification under this section.

5 5. A chief law enforcement officer and employees of the  
6 chief law enforcement officer who act in good faith are immune  
7 from liability arising from any act or omission in making a  
8 certification as required by this section.

9 Sec. 3. NEW SECTION. 724.1B Firearm suppressors — penalty.

10 1. A person shall not possess a firearm suppressor in this  
11 state if such possession is knowingly in violation of federal  
12 law.

13 2. A person who possesses a firearm suppressor in violation  
14 of subsection 1 commits a class "D" felony.

15 Sec. 4. Section 724.4, subsection 4, paragraph i, Code 2015,  
16 is amended to read as follows:

17 *i.* (1) A person who has in the person's immediate  
18 possession and who displays to a peace officer on demand a  
19 valid permit to carry weapons which has been issued to the  
20 person, and whose conduct is within the limits of that permit.  
21 A peace officer shall verify through electronic means, if  
22 possible, the validity of the person's permit to carry weapons.

23 (2) A person commits a simple misdemeanor punishable as  
24 a scheduled violation pursuant to section 805.8C, subsection  
25 11, if the person does not have in the person's immediate  
26 possession a valid permit to carry weapons which has been  
27 issued to the person.

28 (3) A Except as provided subparagraph (2), a person shall  
29 not be convicted of a violation of this section if the person  
30 produces at the person's trial a permit to carry weapons which  
31 was valid at the time of the alleged offense and which would  
32 have brought the person's conduct within this exception if the  
33 permit had been produced at the time of the alleged offense.

34 Sec. 5. Section 724.4B, subsection 2, paragraph a, Code  
35 2015, is amended to read as follows:

1 a. A person listed under section 724.4, subsection 4,  
2 paragraphs "b" through "f" or "j", or a certified peace officer  
3 as specified in section 724.6, subsection 1.

4 Sec. 6. Section 724.5, Code 2015, is amended to read as  
5 follows:

6 **724.5 Duty to carry or verify permit to carry weapons.**

7 1. A person armed with a revolver, pistol, or pocket billy  
8 concealed upon the person shall have in the person's immediate  
9 possession the permit provided for in section 724.4, subsection  
10 4, paragraph "i", and shall produce the permit for inspection at  
11 the request of a peace officer.

12 2. A peace officer shall verify through electronic means, if  
13 possible, the validity of the person's permit to carry weapons.

14 3. Failure to so produce a permit is a simple misdemeanor,  
15 punishable as a scheduled violation pursuant to section 805.8C,  
16 subsection 12.

17 Sec. 7. Section 724.6, subsection 1, Code 2015, is amended  
18 to read as follows:

19 1. A person may be issued a permit to carry weapons when  
20 the person's employment in a private investigation business  
21 or private security business licensed under chapter 80A, or a  
22 person's employment as a peace officer, correctional officer,  
23 security guard, bank messenger or other person transporting  
24 property of a value requiring security, or in police work,  
25 reasonably justifies that person going armed. The permit shall  
26 be on a form prescribed and published by the commissioner of  
27 public safety, shall identify the holder, and shall state  
28 the nature of the employment requiring the holder to go  
29 armed. A permit so issued, other than to a peace officer,  
30 shall authorize the person to whom it is issued to go armed  
31 anywhere in the state, only while engaged in the employment,  
32 and while going to and from the place of the employment. A  
33 permit issued to a certified peace officer shall authorize that  
34 peace officer to go armed anywhere in the state, including a  
35 school as provided in section 724.4B, at all times. Permits

1 shall expire twelve months after the date when issued except  
2 that permits issued to peace officers and correctional officers  
3 are valid through the officer's period of employment unless  
4 otherwise canceled. When the employment is terminated, the  
5 holder of the permit shall surrender it to the issuing officer  
6 for cancellation.

7 Sec. 8. Section 724.7, subsection 1, Code 2015, is amended  
8 to read as follows:

9 1. Any person who is not disqualified under section 724.8,  
10 who satisfies the training requirements of section 724.9, if  
11 applicable, and who files an application in accordance with  
12 section 724.10 shall be issued a nonprofessional permit to  
13 carry weapons. Such permits shall be on a form prescribed and  
14 published by the commissioner of public safety, which shall  
15 be readily distinguishable from the professional permit, and  
16 shall identify the holder of the permit. Such permits shall  
17 not be issued for a particular weapon and shall not contain  
18 information about a particular weapon including the make,  
19 model, or serial number of the weapon or any ammunition used  
20 in that weapon. All permits so issued shall be for a period of  
21 five years and shall be valid throughout the state except where  
22 the possession or carrying of a firearm is prohibited by state  
23 or federal law.

24 Sec. 9. Section 724.9, Code 2015, is amended by adding the  
25 following new subsection:

26 NEW SUBSECTION. 1A. The handgun safety training course  
27 required in subsection 1 may be conducted over the internet  
28 in a live or web-based format, if completion of the course is  
29 verified by the instructor or provider of the course.

30 Sec. 10. Section 724.11, subsections 1 and 3, Code 2015, are  
31 amended to read as follows:

32 1. a. Applications for permits to carry weapons shall  
33 be made to the sheriff of the county in which the applicant  
34 resides. Applications for professional permits to carry  
35 weapons for persons who are nonresidents of the state, or whose

1 need to go armed arises out of employment by the state, shall  
2 be made to the commissioner of public safety. In either case,  
3 the sheriff or commissioner, before issuing the permit, shall  
4 determine that the requirements of sections 724.6 to 724.10  
5 have been satisfied. However, ~~for renewal of a permit the~~  
6 training program requirements in section 724.9, subsection  
7 1, do not apply to an applicant who is able to demonstrate  
8 completion of small arms training as specified in section  
9 724.9, subsection 1, paragraph "d". For all other applicants  
10 the training program requirements of section 724.9, subsection  
11 1, must be satisfied within the twenty-four-month period prior  
12 to the date of the application for the issuance of a permit.

13 b. (1) Prior to issuing a renewal, the sheriff or  
14 commissioner shall determine the requirements of sections  
15 724.6, 724.7, 724.8, and 724.10 and either of the following, as  
16 applicable, have been satisfied:

17 (a) Beginning with the first renewal of a permit issued  
18 after the calendar year 2010, and alternating renewals  
19 thereafter, if a renewal applicant applies within thirty  
20 days prior to the expiration of the permit or within thirty  
21 days after expiration of the permit, the training program  
22 requirements of section 724.9, subsection 1, do not apply.

23 (b) Beginning with the second renewal of a permit issued  
24 after the calendar year 2010, and alternating renewals  
25 thereafter, if a renewal applicant applies within thirty  
26 days prior to the expiration of the permit or within thirty  
27 days after expiration of the permit, a renewal applicant  
28 shall qualify for renewal by taking an online training course  
29 certified by the national rifle association or the Iowa law  
30 enforcement academy, and the training program requirements of  
31 section 724.9, subsection 1, do not apply.

32 (2) If any renewal applicant applies more than thirty days  
33 after the expiration of the permit, the permit requirements  
34 of paragraph "a" apply to the applicant, and any subsequent  
35 renewal of this permit shall be considered a first renewal for

1 purposes of subparagraph (1). However, the training program  
2 requirements of section 724.9, subsection 1, do not apply to an  
3 applicant who is able to demonstrate completion of small arms  
4 training as specified in section 724.9, subsection 1, paragraph  
5 "d". For all other applicants, in lieu of the training program  
6 requirements of section 724.9, subsection 1, the renewal  
7 applicant may choose to qualify on a firing range under the  
8 supervision of an instructor certified by the national rifle  
9 association or the department of public safety or another  
10 state's department of public safety, state police department,  
11 or similar certifying body.

12 (3) As an alternative to subparagraph (1), and if the  
13 requirements of sections 724.6, 724.7, 724.8, and 724.10 have  
14 been satisfied, a renewal applicant may choose to qualify, at  
15 any renewal, under the training program requirements in section  
16 724.9, subsection 1, shall apply or the renewal applicant may  
17 choose to qualify on a firing range under the supervision of  
18 an instructor certified by the national rifle association or  
19 the department of public safety or another state's department  
20 of public safety, state police department, or similar  
21 certifying body. Such training or qualification must occur  
22 within the ~~twelve-month~~ twenty-four-month period prior to the  
23 expiration of the applicant's current permit, except that  
24 the twenty-four-month time period limitation for training or  
25 qualification does not apply to an applicant who is able to  
26 demonstrate completion of small arms training as specified in  
27 section 724.9, subsection 1, paragraph "d".

28 3. The issuing officer shall collect a fee of fifty dollars,  
29 except from a duly appointed peace officer or correctional  
30 officer, for each permit issued. Renewal permits or duplicate  
31 permits shall be issued for a fee of twenty-five dollars,  
32 provided the application for such renewal permit is received by  
33 the issuing officer ~~at least~~ within thirty days prior to the  
34 expiration of the applicant's current permit or within thirty  
35 days after such expiration. The issuing officer shall notify

1 the commissioner of public safety of the issuance of any permit  
2 at least monthly and forward to the commissioner an amount  
3 equal to ten dollars for each permit issued and five dollars  
4 for each renewal or duplicate permit issued. All such fees  
5 received by the commissioner shall be paid to the treasurer of  
6 state and deposited in the operating account of the department  
7 of public safety to offset the cost of administering this  
8 chapter. Notwithstanding section 8.33, any unspent balance as  
9 of June 30 of each year shall not revert to the general fund of  
10 the state.

11 Sec. 11. Section 724.11, Code 2015, is amended by adding the  
12 following new subsection:

13 NEW SUBSECTION. 5. The initial or renewal permit shall  
14 have a uniform appearance, size, and content prescribed and  
15 published by the commissioner of public safety. The permit  
16 shall contain the name of the permittee and the effective date  
17 of the permit, but shall not contain the permittee's social  
18 security number. Such a permit shall not be issued for a  
19 particular weapon and shall not contain information about a  
20 particular weapon including the make, model, or serial number  
21 of the weapon, or any ammunition used in that weapon.

22 Sec. 12. Section 724.11A, Code 2015, is amended to read as  
23 follows:

24 **724.11A Recognition.**

25 A valid permit or license issued by another state to any  
26 nonresident of this state shall be considered to be a valid  
27 permit or license to carry weapons issued pursuant to this  
28 chapter, except that such permit or license shall not be  
29 considered to be a substitute for ~~an annual~~ a permit to acquire  
30 ~~pistols or revolvers~~ firearms issued pursuant to section  
31 724.15.

32 Sec. 13. Section 724.15, Code 2015, is amended by striking  
33 the section and inserting in lieu thereof the following:

34 **724.15 Optional permit to acquire firearms.**

35 1. It is the purpose of this section to provide for a permit

1 to acquire firearms that will satisfy the requirements of 18  
2 U.S.C. §922(t)(3) to allow the holder of such a permit to  
3 acquire firearms from a federally licensed firearms dealer. A  
4 person is not required to obtain a permit to acquire firearms  
5 under this section if the person possesses a valid permit to  
6 carry weapons issued in accordance with this chapter or if the  
7 person has otherwise completed a satisfactory national instant  
8 criminal background check required pursuant to 18 U.S.C.  
9 §922(t).

10 2. A person may obtain a permit to acquire firearms pursuant  
11 to this section. However, a permit to acquire firearms  
12 shall not be issued to a person who is subject to any of the  
13 following:

14 a. Is under twenty-one years of age.

15 b. Is prohibited by section 724.26 or federal law from  
16 possessing, shipping, transporting, or receiving a firearm.

17 c. Is prohibited by court order from possessing, shipping,  
18 transporting, or receiving a firearm.

19 3. A permit to acquire firearms shall authorize the permit  
20 holder to acquire one or more firearms, without limitation,  
21 from a federally licensed firearms dealer during the period the  
22 permit remains valid pursuant to section 724.20.

23 4. An issuing officer who finds that a person issued  
24 a permit to acquire firearms under this chapter has been  
25 arrested for a disqualifying offense or who is the subject of  
26 proceedings that could lead to the person's ineligibility for  
27 such permit may immediately suspend such permit. An issuing  
28 officer proceeding under this subsection shall immediately  
29 notify the permit holder of the suspension by personal service  
30 or certified mail on a form prescribed and published by the  
31 commissioner of public safety and the suspension shall become  
32 effective upon the permit holder's receipt of such notice. If  
33 the suspension is based on an arrest or a proceeding that does  
34 not result in a disqualifying conviction or finding against  
35 the permit holder, the issuing officer shall immediately

1 reinstate the permit upon receipt of proof of the matter's  
2 final disposition. If the arrest leads to a disqualifying  
3 conviction or the proceedings to a disqualifying finding, the  
4 issuing officer shall revoke the permit. The issuing officer  
5 may also revoke the permit of a person whom the issuing officer  
6 later finds was not qualified for such a permit at the time of  
7 issuance or who the officer finds provided materially false  
8 information on the permit application. A person aggrieved by a  
9 suspension or revocation under this subsection may seek review  
10 of the decision pursuant to section 724.21A.

11 Sec. 14. Section 724.16, Code 2015, is amended by striking  
12 the section and inserting in lieu thereof the following:

13 **724.16 Prohibited transfers of firearms.**

14 1. A person shall not transfer a firearm to another person  
15 if the person knows or reasonably should know that the other  
16 person is prohibited from receiving or possessing a firearm  
17 under section 724.26 or federal law.

18 2. A person shall not loan or rent a firearm to another  
19 person for temporary use during lawful activities if the person  
20 knows or reasonably should know that the person is prohibited  
21 from receiving or possessing a firearm under section 724.26 or  
22 federal law.

23 3. A person who transfers, loans, or rents a firearm in  
24 violation of this section commits a class "D" felony.

25 Sec. 15. Section 724.17, Code 2015, is amended to read as  
26 follows:

27 **724.17 Application for annual permit to acquire firearms —**  
28 **criminal history check required.**

29 1. The application for an ~~annual~~ a permit to acquire ~~pistols~~  
30 ~~or revolvers~~ firearms may be made to the sheriff of the county  
31 of the applicant's residence and shall be on a form prescribed  
32 and published by the commissioner of public safety.

33 a. The If an applicant is a United States citizen, the  
34 application shall require only the full name of the applicant,  
35 the driver's license or nonoperator's identification card

1 number of the applicant, the residence of the applicant, and  
2 the date and place of birth of the applicant.

3 b. If the applicant is not a United States citizen, the  
4 application shall, in addition to the information specified in  
5 paragraph "a", require the applicant's country of citizenship,  
6 any alien or admission number issued by the United States  
7 immigration and customs enforcement or any successor agency,  
8 and, if applicable, the basis for any exception claimed  
9 pursuant to 18 U.S.C. §922(y).

10 c. The applicant shall also display an identification card  
11 that bears a distinguishing number assigned to the cardholder,  
12 the full name, date of birth, sex, residence address, and brief  
13 description and colored photograph of the cardholder, or other  
14 identification as specified by rule of the department of public  
15 safety.

16 2. The sheriff shall conduct a criminal history check  
17 concerning each applicant by obtaining criminal history data  
18 from the department of public safety which shall include an  
19 inquiry of the national instant criminal background check  
20 system maintained by the federal bureau of investigation or  
21 any successor agency and an immigration alien query through  
22 a database maintained by the United States immigration and  
23 customs enforcement or any successor agency if the applicant  
24 is not a United States citizen.

25 3. A person who makes what the person knows to be a false  
26 statement of material fact on an application submitted under  
27 this section or who submits what the person knows to be any  
28 materially falsified or forged documentation in connection with  
29 such an application commits a class "D" felony.

30 Sec. 16. Section 724.18, Code 2015, is amended by striking  
31 the section and inserting in lieu thereof the following:

32 **724.18 Procedure for making application for permit to acquire**  
33 **firearms.**

34 1. A person may personally request the sheriff to mail an  
35 application for a permit to acquire firearms, and the sheriff

1 shall immediately forward such application to the person. The  
2 person shall personally deliver such a completed application  
3 to the sheriff who, upon successful completion of the criminal  
4 history check and immigration alien query, if applicable,  
5 required pursuant to section 724.17, shall note the period of  
6 validity on the application and immediately issue the permit  
7 to the applicant.

8 2. For the purposes of this section, the date of application  
9 shall be the date on which the sheriff received the completed  
10 application.

11 Sec. 17. Section 724.19, Code 2015, is amended to read as  
12 follows:

13 **724.19 Issuance of ~~annual~~ permit to acquire firearms.**

14 The ~~annual~~ permit to acquire ~~pistols or revolvers~~ firearms  
15 shall be issued to the applicant immediately upon completion  
16 of the application unless the applicant is disqualified under  
17 the provisions of section 724.15 ~~and~~. The permit shall be on a  
18 form have a uniform appearance, size, and content prescribed  
19 and published by the commissioner of public safety. The permit  
20 shall contain the name of the permittee, ~~the residence of the~~  
21 ~~permittee~~, and the effective date of the permit, but shall  
22 not contain the permittee's social security number. Such a  
23 permit shall not be issued for a particular weapon and shall  
24 not contain information about a particular weapon including the  
25 make, model, or serial number of the weapon, or any ammunition  
26 used in that weapon.

27 Sec. 18. Section 724.20, Code 2015, is amended to read as  
28 follows:

29 **724.20 Validity of ~~annual~~ permit to acquire ~~pistols or~~**  
30 **~~revolvers~~ firearms.**

31 The permit shall be valid throughout the state and shall  
32 be ~~valid three days after the date of application and shall~~  
33 ~~be invalid one year~~ five years after the date of application  
34 issuance.

35 Sec. 19. Section 724.21, Code 2015, is amended to read as

1 follows:

2     **724.21 Giving false information when acquiring ~~weapon~~**  
3 **firearms.**

4     A person who gives a false name or presents false  
5 identification, or otherwise knowingly gives false material  
6 information to one from whom the person seeks to acquire a  
7 ~~pistol or revolver~~ firearm, commits a class "D" felony.

8     Sec. 20. Section 724.21A, subsections 1 and 7, Code 2015,  
9 are amended to read as follows:

10     1. In any case where the sheriff or the commissioner of  
11 public safety denies an application for or suspends or revokes  
12 a permit to carry weapons or ~~an annual~~ a permit to acquire  
13 ~~pistols or revolvers~~ firearms, the sheriff or commissioner  
14 shall provide a written statement of the reasons for the  
15 denial, suspension, or revocation and the applicant or permit  
16 holder shall have the right to appeal the denial, suspension,  
17 or revocation to an administrative law judge in the department  
18 of inspections and appeals within thirty days of receiving  
19 written notice of the denial, suspension, or revocation.

20     7. In any case where the issuing officer denies an  
21 application for, or suspends or revokes a permit to carry  
22 weapons or ~~an annual~~ a permit to acquire ~~pistols or revolvers~~  
23 firearms solely because of an adverse determination by  
24 the national instant criminal background check system, the  
25 applicant or permit holder shall not seek relief under this  
26 section but may pursue relief of the national instant criminal  
27 background check system determination pursuant to Pub. L. No.  
28 103-159, sections 103(f) and (g) and 104 and 28 C.F.R. §25.10,  
29 or other applicable law. The outcome of such proceedings shall  
30 be binding on the issuing officer.

31     Sec. 21. Section 724.21A, Code 2015, is amended by adding  
32 the following new subsection:

33     NEW SUBSECTION. 8. If an applicant appeals the decision by  
34 the sheriff or commissioner to deny an application, or suspend  
35 or revoke a permit to carry weapons or a permit to acquire

1 firearms, and it is later determined the applicant is eligible  
2 to be issued or possess such a permit, the applicant shall  
3 be awarded court costs and reasonable attorney fees. If the  
4 decision of the sheriff or commission to deny the application,  
5 or suspend or revoke the permit is upheld on appeal, the  
6 political subdivision of the state representing the sheriff or  
7 the commissioner shall be awarded court costs and reasonable  
8 attorney fees.

9 Sec. 22. Section 724.22, subsection 5, Code 2015, is amended  
10 to read as follows:

11 5. A parent or guardian or spouse who is twenty-one years of  
12 age or older, of a person ~~fourteen years of age but less than~~  
13 below the age of twenty-one may allow the person to possess a  
14 pistol or revolver or the ammunition therefor for any lawful  
15 purpose while under the direct supervision of the parent or  
16 guardian or spouse who is twenty-one years of age or older, or  
17 while the person receives instruction in the proper use thereof  
18 from an instructor twenty-one years of age or older, with the  
19 consent of such parent, guardian or spouse.

20 Sec. 23. Section 724.23, Code 2015, is amended to read as  
21 follows:

22 **724.23 Records kept by commissioner and issuing officers.**

23 1. a. The commissioner of public safety shall maintain a  
24 permanent record of all valid permits to carry weapons and of  
25 current permit revocations.

26 b. The permanent record shall be kept in a searchable  
27 database that is accessible on a statewide basis for the  
28 circumstances described in subsection 2, paragraph "b", "c", or  
29 "d".

30 2. a. Notwithstanding any other law or rule to the  
31 contrary, the commissioner of public safety and any issuing  
32 officer shall keep confidential personally identifiable  
33 information of holders of nonprofessional permits to carry  
34 weapons and permits to acquire firearms, including but not  
35 limited to the name, social security number, date of birth,

1 residential or business address, and driver's license or other  
2 identification number of the applicant or permit holder.

3 b. This subsection shall not prohibit the release of  
4 statistical information relating to the issuance, denial,  
5 revocation, or administration of nonprofessional permits to  
6 carry weapons and permits to acquire firearms, provided that  
7 the release of such information does not reveal the identity of  
8 any individual permit holder.

9 c. This subsection shall not prohibit the release of  
10 information to any law enforcement agency or any employee or  
11 agent thereof when necessary for the purpose of investigating  
12 a possible violation of law and probable cause exists, or for  
13 conducting a lawfully authorized background investigation.

14 d. This subsection shall not prohibit the release of  
15 information relating to the validity of a professional permit  
16 to carry weapons to an employer who requires an employee or an  
17 agent of the employer to possess a professional permit to carry  
18 weapons as part of the duties of the employee or agent.

19 e. Except as provided in paragraphs "b", "c", and "d", the  
20 release of any confidential information under this section  
21 shall require a court order or the consent of the person whose  
22 personally identifiable information is the subject of the  
23 information request.

24 Sec. 24. Section 724.27, subsection 1, unnumbered paragraph  
25 1, Code 2015, is amended to read as follows:

26 The provisions of section 724.8, section 724.15, subsection  
27 ± 2, and section 724.26 shall not apply to a person who is  
28 eligible to have the person's civil rights regarding firearms  
29 restored under section 914.7 if any of the following occur:

30 Sec. 25. NEW SECTION. 724.29A Fraudulent purchase of  
31 firearms or ammunition.

32 1. For purposes of this section:

33 a. "Ammunition" means any cartridge, shell, or projectile  
34 designed for use in a firearm.

35 b. "Licensed firearms dealer" means a person who is licensed

1 pursuant to 18 U.S.C. §923 to engage in the business of dealing  
2 in firearms.

3 *c. "Materially false information"* means information that  
4 portrays an illegal transaction as legal or a legal transaction  
5 as illegal.

6 *d. "Private seller"* means a person who sells or offers for  
7 sale any firearm or ammunition.

8 2. A person who knowingly solicits, persuades, encourages,  
9 or entices a licensed firearms dealer or private seller of  
10 firearms or ammunition to transfer a firearm or ammunition  
11 under circumstances that the person knows would violate the  
12 laws of this state or of the United States commits a class "D"  
13 felony.

14 3. A person who knowingly provides materially false  
15 information to a licensed firearms dealer or private seller of  
16 firearms or ammunition with the intent to deceive the firearms  
17 dealer or seller about the legality of a transfer of a firearm  
18 or ammunition commits a class "D" felony.

19 4. Any person who willfully procures another to engage in  
20 conduct prohibited by this section shall be held accountable  
21 as a principal.

22 5. This section does not apply to a law enforcement officer  
23 acting in the officer's official capacity or to a person acting  
24 at the direction of such law enforcement officer.

25 Sec. 26. NEW SECTION. 724.32 Rules.

26 The department of public safety shall adopt rules pursuant  
27 to chapter 17A to administer this chapter.

28 Sec. 27. Section 805.8C, Code 2015, is amended by adding the  
29 following new subsections:

30 NEW SUBSECTION. 11. *Duty to possess permit to carry*  
31 *weapons.* For violations of section 724.4, subsection 4,  
32 paragraph "i", subparagraph (2), the scheduled fine is ten  
33 dollars.

34 NEW SUBSECTION. 12. *Failure to produce permit to carry.* For  
35 violations of section 724.5, the scheduled fine is ten dollars.



1 The bill also creates in new Code section 724.1A, a process  
2 whereby a person may apply to the chief law enforcement officer  
3 of the jurisdiction where the person resides or maintains an  
4 address of record for a certification to make or transfer a  
5 firearm suppressor. The bill defines "firearm suppressor" to  
6 mean a mechanical device specifically constructed and designed  
7 so that when attached to a firearm silences, muffles, or  
8 suppresses the sound when fired that is considered a "firearm  
9 silencer" or "firearm muffler" as defined in 18 U.S.C. §921.

10 The bill specifies that a chief law enforcement officer  
11 shall not refuse to provide certification, based on a  
12 generalized objection, to an applicant making or transferring  
13 a firearm suppressor. If a person applies for certification  
14 to make or transfer a firearm suppressor with the chief  
15 law enforcement officer, the bill requires the chief law  
16 enforcement officer to issue the certification within 30  
17 days of receiving such an application unless the applicant  
18 is prohibited by law from making or transferring a firearm  
19 suppressor or the applicant is the subject of a proceeding that  
20 could result in the applicant being prohibited by law from  
21 making or transferring a firearm suppressor. If the chief  
22 law enforcement officer does not issue a certification under  
23 the bill, the chief law enforcement officer shall provide the  
24 applicant a written notification of the denial and the reason  
25 for the denial. If the certification has been approved by the  
26 chief law enforcement officer under the bill, the applicant  
27 has the authority to make or transfer a firearm suppressor as  
28 provided by state and federal law.

29 If the applicant's request for certification is denied,  
30 the bill specifies that the applicant may appeal the decision  
31 to the district court for the county in which the applicant  
32 resides or maintains an address of record. The bill specifies  
33 that the court shall review the decision of the chief law  
34 enforcement officer to deny the certification de novo. If the  
35 court finds that the applicant is not prohibited by law from

1 making or transferring a firearm suppressor, the bill requires  
2 the court to order the chief law enforcement officer to issue  
3 the certification and award court costs and reasonable attorney  
4 fees to the applicant. If the court determines the applicant  
5 is not eligible to be issued a certification, the bill requires  
6 the court to award court costs and reasonable attorney fees to  
7 the political subdivision of the state representing the chief  
8 law enforcement officer.

9 In making a determination about whether to issue a  
10 certification under the bill, a chief law enforcement officer  
11 may conduct a criminal background check, but shall only require  
12 the applicant to provide as much information as is necessary  
13 to identify the applicant for this purpose or to determine  
14 the disposition of an arrest or proceeding relevant to the  
15 eligibility of the applicant to lawfully make or transfer a  
16 firearm suppressor. The bill prohibits a chief law enforcement  
17 officer from requiring access to any private premises as a  
18 condition of providing a certification under this Code section.

19 A chief law enforcement officer and employees of the chief  
20 law enforcement officer who act in good faith are immune  
21 from liability arising from any act or omission in making a  
22 certification under the bill.

23 The bill provides that a person commits a class "D" felony if  
24 the person possesses a firearm suppressor and such possession  
25 is knowingly in violation of federal law.

26 The provisions relating to making or transferring a firearm  
27 suppressor take effect upon enactment.

28 CARRYING WEAPONS. The bill provides that a person does not  
29 commit the criminal offense of carrying weapons in violation of  
30 Code section 724.4 if the person has in the person's immediate  
31 possession and who displays to a peace officer on demand a  
32 valid permit to carry weapons which has been issued to the  
33 person, and whose conduct is within the limits of that permit.  
34 The bill specifies that a peace officer shall verify through  
35 electronic means, if possible, the validity of the person's

1 permit to carry weapons. Current law does not require the  
2 permit to be in the person's immediate possession only that  
3 the permit be in the person's possession. If a person, who  
4 possesses a valid permit to carry weapons under the bill, fails  
5 to carry such a permit in the immediate possession of the  
6 person or fails to display the permit to a peace officer on  
7 demand, a person commits a simple misdemeanor punishable by a  
8 \$10 scheduled fine.

9 CARRYING WEAPONS ON SCHOOL GROUNDS. The bill provides  
10 that a certified peace officer who possesses a professional  
11 permit to carry weapons does not commit the criminal violation  
12 of unlawfully carrying weapons on school grounds under Code  
13 section 724.4B. Under current law, a peace officer while  
14 acting within the official duties of the officer may possess a  
15 weapon on school grounds. A person who commits the offense of  
16 unlawfully carrying weapons on school grounds commits a class  
17 "D" felony.

18 DUTY TO POSSESS PERMIT TO CARRY WEAPONS. The bill under  
19 Code section 724.5 makes it a simple misdemeanor punishable by  
20 a \$10 scheduled fine if a person armed with a revolver, pistol,  
21 or pocket billy concealed upon the person does not possess  
22 the permit to carry weapons in the immediate possession of  
23 the person, and fails to produce such permit for inspection  
24 upon the request of a peace officer. The bill specifies that  
25 a peace officer shall verify through electronic means, if  
26 possible, the validity of the person's permit to carry weapons.  
27 Current law provides that if a person commits such a violation  
28 the person commits a simple misdemeanor.

29 HANDGUN SAFETY TRAINING COURSE. The bill provides in Code  
30 section 724.9 that the handgun safety training course required  
31 to obtain a permit to carry under Code section 724.11 may be  
32 conducted over the internet in a live or web-based format, as  
33 long as completion of the course is verified by the instructor  
34 or provider of the course.

35 INITIAL PERMIT TO CARRY WEAPONS — TRAINING. The bill

1 specifies in Code section 724.11 that the training program  
2 requirements in Code section 724.9(1) do not apply to an  
3 applicant who is able to demonstrate completion of small  
4 arms training as specified in Code section 724.9(1)(d). For  
5 all other applicants the training program requirements in  
6 Code section 724.9(1) must be satisfied within the 24-month  
7 period prior to the date of the application for the issuance  
8 of a permit. Current law specifies that the training program  
9 requirements under Code section 724.9(1) must be satisfied  
10 within the 12-month period prior to the application. A  
11 corresponding amendment is made to Code section 724.7.

12       ISSUANCE OF PERMIT TO CARRY OR RENEWAL. Prior to issuing  
13 any renewal of a permit to carry weapons, the sheriff or  
14 commissioner under Code section 724.11 shall determine if the  
15 requirements of Code sections 724.6, 724.7, 724.8, and 724.10  
16 have been met. The bill provides for additional requirements  
17 under certain circumstances.

18       The bill provides that beginning with the first renewal of  
19 a permit issued after the calendar year 2010, and alternating  
20 renewals thereafter, if a renewal applicant applies within 30  
21 days prior to the expiration of the permit or within 30 days  
22 after expiration of the permit, the training requirements of  
23 Code section 724.9(1) do not apply.

24       The bill provides that beginning with the second renewal of  
25 a permit issued after the calendar year 2010, and alternating  
26 renewals thereafter, if a renewal applicant applies within  
27 30 days prior to the expiration of the permit or within 30  
28 days after expiration of the permit, a renewal applicant shall  
29 qualify by taking an online training course certified by the  
30 national rifle association or the Iowa law enforcement academy,  
31 and the training program requirements of Code section 724.9(1)  
32 do not apply.

33       If any renewal applicant applies more than 30 days after  
34 the expiration of the permit, the bill specifies the training  
35 program requirements in Code section 724.9(1) do apply to the

1 applicant. However, the bill specifies that the training  
2 program requirements in Code section 724.9(1) do not apply to  
3 a renewal applicant who is able to demonstrate completion of  
4 small arms training as specified in Code section 724.9(1)(d).  
5 For all other renewal applicants who have applied more than  
6 30 days after the expiration of the permit, the bill allows,  
7 in lieu of the training program requirements in Code section  
8 724.9(1), the renewal applicant to choose to qualify on a  
9 firing range under the supervision of an instructor certified  
10 by the national rifle association or the department of public  
11 safety or another state's department of public safety, state  
12 police department, or similar certifying body. If a renewal  
13 applicant applies more than 30 days after the expiration of the  
14 permit, the bill specifies that any subsequent renewal shall be  
15 considered a first renewal of the permit.

16 As an alternative, a renewal applicant, under the bill, may  
17 choose to qualify at any renewal, under the training program  
18 requirements in Code section 724.9(1), or the renewal applicant  
19 may choose to qualify on a firing range under the supervision  
20 of an instructor certified by the national rifle association  
21 or the department of public safety or another state's  
22 department of public safety, state police department, or  
23 similar certifying body. Such training or qualification must  
24 occur within the 24-month period prior to the expiration of  
25 the applicant's current permit, except that the 24-month time  
26 period limitation to complete the training or qualification  
27 does not apply to an applicant who is able to demonstrate  
28 completion of small arms training as specified in Code section  
29 724.9(1)(d).

30 The bill specifies that the initial or renewal permit shall  
31 have a uniform appearance, size, and content prescribed and  
32 published by the commissioner of public safety. The bill  
33 further specifies that the permit shall contain the name of  
34 the permittee and the effective date of the permit, but shall  
35 not contain the permittee's social security number. The bill

1 prohibits such a permit to be issued for a particular weapon or  
2 to contain information about a particular weapon including the  
3 make, model, or serial number of the weapon, or any ammunition  
4 used in that weapon.

5 The bill does not increase or decrease the fee for a renewal  
6 of a permit to carry weapons but does allow a renewal applicant  
7 to pay the \$25 renewal application fee if the renewal applicant  
8 applies within 30 days prior to the expiration of the permit  
9 or within 30 days after such expiration. Current law requires  
10 that in order to be assessed the \$25 renewal application fee,  
11 the renewal applicant must apply at least 30 days prior to the  
12 expiration of the permit to carry weapons.

13 PROHIBITED TRANSFERS OF FIREARMS. The bill strikes  
14 the language of current Code section 724.16, relating to  
15 transferring a pistol or revolver to a person without a  
16 permit or acquiring a pistol or revolver without a permit and  
17 substitutes language prohibiting the transfer of a firearm to  
18 another person who does not possess a permit if the person  
19 knows or reasonably should know the person is prohibited from  
20 receiving or possessing a firearm under Code section 724.26  
21 or federal law. The bill also provides that a person shall  
22 not loan or rent a firearm to another person for temporary use  
23 during lawful activities if the person knows or reasonably  
24 should know the person is prohibited from receiving or  
25 possessing a firearm under Code section 724.26 or federal  
26 law. A person who violates this provision commits a class "D"  
27 felony.

28 OPTIONAL PERMITS TO ACQUIRE FIREARMS. Current law provides  
29 that any person who intends to purchase a pistol or revolver is  
30 required to first obtain an annual permit to acquire pistols or  
31 revolvers unless the person is otherwise exempt from obtaining  
32 such a permit. The bill in Code section 724.15 eliminates this  
33 type of mandatory permit and provides instead for an optional  
34 permit to acquire firearms in order to satisfy the requirements  
35 of federal law allowing the holder of such a permit to acquire

1 firearms from a federally licensed firearms dealer. A person  
2 is not required to obtain a permit to acquire firearms to  
3 purchase firearms from a federally licensed firearms dealer if  
4 the person possesses a valid permit to carry weapons issued  
5 in accordance with Iowa law or if the person has otherwise  
6 completed a satisfactory national instant criminal background  
7 check required by federal law to purchase firearms from a  
8 federally licensed firearms dealer.

9 Under the bill, a person who applies for a permit to acquire  
10 firearms is not eligible for the permit if the person is less  
11 than 21 years of age or is prohibited by Code section 724.26  
12 (felon in possession of a firearm), federal law, or court  
13 order from possessing, shipping, transporting, or receiving a  
14 firearm.

15 The bill in Code section 724.17 provides that an application  
16 for a permit to acquire firearms is made to the sheriff of the  
17 county of the applicant's residence. The photograph submitted  
18 by an applicant need not be in color. A person may request  
19 the sheriff to mail an application for a permit to acquire  
20 firearms under Code section 724.18, and the bill requires the  
21 sheriff to immediately forward the application to the person.  
22 An applicant who is a United States citizen is only required to  
23 provide certain basic identifying documentation. An applicant  
24 who is not a United States citizen must provide additional  
25 information and is subject to an immigration alien query  
26 through a database maintained by the United States immigration  
27 and customs enforcement. All applicants are subject to a  
28 criminal history background check. Corresponding amendments  
29 are made to Code sections 724.11A and 724.21.

30 The permit to acquire firearms is required under Code  
31 section 724.19 to be issued to the applicant immediately  
32 upon completion of the application unless the applicant is  
33 disqualified. The permit shall have a uniform appearance,  
34 size, and content, but shall not contain the permittee's  
35 social security number. Such permits shall not be issued for

1 a particular weapon and shall not contain information about a  
2 particular weapon including the make, model, or serial number  
3 of the weapon, or any ammunition used in that weapon.

4 The bill in Code section 724.15 provides that the permit to  
5 acquire firearms may be suspended or revoked by the issuing  
6 officer and the aggrieved permit holder may file an appeal with  
7 an administrative law judge.

8 Current law in Code section 724.17 provides that a person who  
9 makes what the person knows to be a false statement of material  
10 fact on an application for a permit to acquire firearms  
11 or who submits what the person knows to be any materially  
12 falsified or forged documentation in connection with such an  
13 application commits a class "D" felony. Under the bill in Code  
14 section 724.16 a person who transfers ownership of a firearm  
15 to a person that the transferor knows is prohibited under  
16 Code section 724.26 (felon in possession of a firearm) from  
17 possessing, shipping, transporting, or receiving a firearm  
18 commits a class "D" felony.

19 The bill makes a conforming change to Code section 724.27  
20 relating to the restoration of firearms rights.

21 ISSUANCE OF OPTIONAL PERMIT TO ACQUIRE AND PERMIT TO  
22 ACQUIRE. The bill provides in Code section 724.20 that an  
23 optional permit to acquire a firearm shall be valid five years  
24 from the date of the issuance of the permit. Current law  
25 provides that a permit to acquire is valid three days after  
26 the date of the application and becomes invalid one year  
27 after the date of the application for the permit to acquire.  
28 The bill specifies that the permit to acquire firearms shall  
29 have a uniform appearance, size, and content prescribed and  
30 published by the commissioner of public safety. The bill  
31 further specifies that the permit shall contain the name of  
32 the permittee and the effective date of permit, but shall not  
33 contain the permittee's social security number.

34 DENIAL, SUSPENSION, OR REVOCATION — PERMIT TO CARRY  
35 WEAPONS AND PERMIT TO ACQUIRE FIREARMS. If an applicant under

1 Code section 724.21A appeals the decision by the sheriff or  
2 commissioner to deny an application, or suspend or revoke a  
3 permit to carry weapons or a permit to acquire firearms, and  
4 it is later determined the applicant is eligible to be issued  
5 or possess such a permit, the bill provides that the applicant  
6 shall be awarded court costs and reasonable attorney fees.  
7 However, if the decision of the sheriff or commissioner to deny  
8 the application, or suspend or revoke the permit is upheld on  
9 appeal, the political subdivision of the state representing the  
10 sheriff or the commissioner shall be awarded court costs and  
11 reasonable attorney fees.

12 POSSESSION OF PISTOL, REVOLVER, OR AMMUNITION BY PERSONS  
13 UNDER 14 YEARS OF AGE. Under the bill in Code section  
14 724.22(5), a parent or guardian or spouse who is 21 years of  
15 age or older, or an instructor 21 years of age or older with  
16 the consent of the parent or guardian or spouse, may allow  
17 a minor of any age to possess a pistol or revolver or the  
18 ammunition therefor, which then may be lawfully used. Current  
19 law prohibits a parent or guardian or spouse who is 21 years  
20 of age or older from allowing a minor under 14 years of age  
21 from possessing a pistol, revolver, or the ammunition. This  
22 provision takes effect upon enactment.

23 Except for the circumstances under Code section 724.22(4)  
24 (security personnel) or Code section 724.22(5), under current  
25 law, a person who sells, loans, gives, or makes available a  
26 pistol or revolver or ammunition for a pistol or revolver to a  
27 person below the age of 21 commits a serious misdemeanor for a  
28 first offense and a class "D" felony for second and subsequent  
29 offenses.

30 PERMIT TO CARRY AND PERMIT TO ACQUIRE RECORDS —  
31 CONFIDENTIALITY. Current law requires the commissioner of  
32 public safety to maintain a permanent record of all valid  
33 permits to carry weapons and of current permit revocations.

34 The bill provides in Code section 724.23 that,  
35 notwithstanding any other law or rule to the contrary, the

1 commissioner of public safety and any issuing officer (county  
2 sheriff) shall keep confidential personally identifiable  
3 information of holders of nonprofessional permits to carry  
4 weapons and permits to acquire firearms. The release of any  
5 confidential information, except as otherwise provided in the  
6 bill, requires a court order or the consent of the person  
7 whose personally identifiable information is the subject of  
8 the information request. The bill does not prohibit release  
9 of statistical information relating to the issuance, denial,  
10 revocation, or administration of nonprofessional permits  
11 to carry weapons and permits to acquire firearms if such  
12 information does not reveal the identity of any individual  
13 permit holder, the release of information to a law enforcement  
14 agency investigating a violation of law where probable cause  
15 exists, the release for purposes of conducting a background  
16 check, or the release of information relating to the validity  
17 of a professional permit to carry weapons to an employer who  
18 requires an employee or an agent of the employer to possess  
19 a professional permit to carry weapons as part of the duties  
20 of the employee or agent. This provision applies to holders  
21 of nonprofessional permits to carry weapons and permits to  
22 acquire firearms and to applicants for nonprofessional permits  
23 to carry weapons and permits to acquire firearms on or after  
24 the effective date of the bill. This provision takes effect  
25 upon enactment.

26       FRAUDULENT PURCHASE OF FIREARMS OR AMMUNITION. The bill  
27 provides that a person who knowingly solicits, persuades,  
28 encourages, or entices a licensed firearms dealer or private  
29 seller of firearms or ammunition to transfer a firearm or  
30 ammunition under circumstances that the person knows would  
31 violate the laws of this state or of the United States commits  
32 a class "D" felony. A person who knowingly provides materially  
33 false information to a licensed firearms dealer or private  
34 seller of firearms or ammunition with the intent to deceive the  
35 firearms dealer or seller about the legality of a transfer of a

1 firearm or ammunition commits a class "D" felony. Any person  
2 who willfully procures another to engage in conduct prohibited  
3 by this Code section shall be held accountable as a principal.

4 The Code section does not apply to a law enforcement officer  
5 acting in the officer's official capacity or to a person acting  
6 at the direction of such law enforcement officer.

7 This new Code section takes effect upon enactment.

8 RULES. The bill specifies that the department of public  
9 safety shall adopt rules pursuant to Code chapter 17A to  
10 administer Code chapter 724.